

## COVINGTON

BEIJING BRUSSELS DUBAI FRANKFURT JOHANNESBURG  
LONDON LOS ANGELES NEW YORK PALO ALTO  
SAN FRANCISCO SEOUL SHANGHAI WASHINGTON

Covington & Burling LLP  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018-1405  
T +1 212 841 1000

**Via Electronic Mail and ECF**

October 18, 2022

Hon. John P. Cronan  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: *United States v. King*, 21 Cr. 56 (JPC) / Urgent Request**

Dear Judge Cronan:

We respectfully write to request that the Court reschedule the sentencing of Nikia King, which is presently scheduled for October 19, 2022, to a suitable date and time the week of October 24 to address a health issue.

When we spoke to Ms. King this morning in conjunction with sentencing, it was immediately apparent that she had a severe upper respiratory illness, which Ms. King confirmed and said had worsened overnight. Ms. King consulted with a doctor early this afternoon and was diagnosed with an upper respiratory infection. *See* Ex. A. During her visit, she also took a rapid test and a PCR test for COVID-19; the rapid test came back negative, and she is awaiting the results of her PCR test.

Regardless of whether Ms. King has COVID-19, she is sick and requests a short adjournment to her sentencing. Moreover, because Ms. King's symptoms include a cough and difficulty breathing, and she is not vaccinated (for religious reasons), we understand that Ms. King may not be permitted to enter the courthouse as the symptoms cannot at this point be explained "by allergies or another underlying condition."<sup>1</sup> Given the vital importance of the sentencing proceeding, we do not wish to proceed remotely.

A sentencing hearing on the week of October 24th should provide sufficient time for Ms. King to recover. The government consents to this request. The parties are available on October 25, 2022, and the morning of October 27, 2022.

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<sup>1</sup> *See* Fifteenth Amended Standing Order M10-468, 21-MC-164 (Sept. 7, 2022), [https://www.nysd.uscourts.gov/sites/default/files/2022-09/21mc164.%20Fifteenth%20Amended%20Standing%20Order%20-%20%20Restrictions%20on%20Entry%20to%20the%20Courthouses\\_o.pdf](https://www.nysd.uscourts.gov/sites/default/files/2022-09/21mc164.%20Fifteenth%20Amended%20Standing%20Order%20-%20%20Restrictions%20on%20Entry%20to%20the%20Courthouses_o.pdf); Memorandum from the SDNY COVID-19 Response Team regarding COVID-19 Protocols Following Positive Diagnosis, Symptoms or Exposure to COVID-19 (revised July 15, 2022), <https://www.nysd.uscourts.gov/sites/default/files/2022-07/COVID%20Procedures%20v10%207.15.22--%20Positive%20Diagnosis%20Symptoms%20or%20Exposure.pdf>.

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Respectfully submitted,

s/ Arlo Devlin-Brown  
Arlo Devlin-Brown

Covington & Burling LLP

cc: All counsel of record via ECF

Defendant King's unopposed request is granted. Defendant's sentencing hearing, currently scheduled for October 19, 2022, is adjourned to October 27, 2022, at 11:00 a.m. in Courtroom 12D of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007. The Court wishes Defendant a speedy recovery.

The Clerk of Court is respectfully directed to close Docket Number 184.

SO ORDERED.

October 18, 2022  
New York, NY

A handwritten signature in black ink, appearing to read "John P. Cronan", written over a horizontal line.

JOHN P. CRONAN  
United States District Judge